

## **IC 9-30-11**

### **Chapter 11. Parking Tickets**

#### **IC 9-30-11-1**

##### **Judgment**

Sec. 1. As used in this chapter, "judgment" means a monetary penalty assessed for the violation of an ordinance that regulates parking violations.

*As added by P.L.2-1991, SEC.18.*

#### **IC 9-30-11-2**

##### **Infraction involving rented or leased vehicle; inapplication of registration suspension procedure**

Sec. 2. The motor vehicle registration suspension procedure under this chapter does not apply to a judgment imposed for an infraction or ordinance violation involving a motor vehicle that was, at the time of the infraction or ordinance violation, the subject of a written agreement for the rental or lease of the motor vehicle for a period not greater than sixty (60) days.

*As added by P.L.2-1991, SEC.18.*

#### **IC 9-30-11-3**

##### **Notification of failure to pay judgments**

Sec. 3. If it appears from the records of a court that has jurisdiction to enforce ordinances that regulate parking violations that three (3) judgments concerning a motor vehicle have not been paid before the deadlines established by a statute, an ordinance, or a court order, the clerk of the court shall send a notice to the person who is the registered owner of the motor vehicle. The notice must inform the person of the following:

- (1) That the clerk will send a referral to the bureau if the judgments are not paid within thirty (30) days after a notice was mailed.
- (2) That the referral will result in the suspension of the motor vehicle's registration if the judgments are not paid.

*As added by P.L.2-1991, SEC.18.*

#### **IC 9-30-11-4**

##### **Referral to bureau regarding unpaid judgments; contents**

Sec. 4. A clerk may send a referral to the bureau if the judgments are not paid not later than thirty (30) days after a notice was mailed. The referral must include the following:

- (1) Any information known or available to the clerk concerning the following of the motor vehicle:
  - (A) The license plate number and year of registration.
  - (B) The name of the owner.
- (2) The date on which each of the violations occurred.
- (3) The law enforcement agencies responsible for the parking citations.
- (4) The date when the notice required under section 3 of this

chapter was mailed.

(5) The seal of the clerk.

*As added by P.L.2-1991, SEC.18.*

#### **IC 9-30-11-5**

##### **Suspension of registration upon receipt of referral**

Sec. 5. If the bureau receives a referral under section 4 of this chapter, the bureau shall suspend the registration of the motor vehicle and mail a notice to the person in whose name the vehicle is registered that does the following:

- (1) Informs the person that the motor vehicle's registration has been suspended and the reason for the suspension.
- (2) Informs the person that if the judgments are not paid within fifteen (15) days, the motor vehicle's license plates will be removed by a law enforcement officer.
- (3) Explains what the person is required to do to have the registration reinstated.

*As added by P.L.2-1991, SEC.18.*

#### **IC 9-30-11-6**

##### **Reinstatement of registration; conditions**

Sec. 6. The bureau shall reinstate motor vehicle registration that is suspended under this chapter if the following occur:

- (1) Any person presents the bureau or a bureau license branch with adequate proof that all unpaid judgments with respect to the motor vehicle have been paid.
- (2) A reinstatement fee under IC 9-29 is paid to the bureau.

*As added by P.L.2-1991, SEC.18.*

#### **IC 9-30-11-7**

##### **Notice of suspension**

Sec. 7. If the bureau suspends a motor vehicle registration under section 5 of this chapter, the bureau shall send a notice of the suspension to the clerk who sent the referral. Upon receipt of a notice, a clerk shall inform each of the law enforcement agencies that are listed on the referral of the following:

- (1) That the motor vehicle's registration has been suspended.
- (2) That any law enforcement agency may remove the license plate of the motor vehicle fifteen (15) days after the motor vehicle's registration was suspended unless the judgments have been paid.

*As added by P.L.2-1991, SEC.18.*

#### **IC 9-30-11-8**

##### **Defenses; proof; airport police**

Sec. 8. (a) This section does not apply in a proceeding concerning a standing or parking citation issued by a police authority operating under the jurisdiction of an airport authority.

(b) It is a defense in a proceeding to enforce an ordinance or a statute defining an infraction concerning the standing or parking of

vehicles if the owner:

(1) proves that at the time of the alleged violation the owner was engaged in the business of renting or leasing vehicles under written agreements;

(2) proves that at the time of the alleged violation the vehicle was in the care, custody, or control of a person (other than the owner or an employee of the owner) under a written agreement for the rental or lease of the vehicle for a period of not more than sixty (60) days; and

(3) provides to the traffic violations bureau or court that has jurisdiction the name and address of the person who was renting or leasing the vehicle at the time of the alleged violation.

(c) The owner of a vehicle may establish proof under subsection (b)(2) by submitting, within thirty (30) days after the owner receives notice by mail of:

(1) the parking ticket; or

(2) the infraction violation;

a copy of the rental or lease agreement to the traffic violations bureau or court that has jurisdiction.

*As added by P.L.2-1991, SEC.18.*